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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/803,209

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Manabu Niie

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02/09/2004

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EXAMINER

LEWIS, MICHAEL A

ART UNIT

PAPER NUMBER

2655

DATE MAILED: 02/09/2004

5

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/803,209

Applicant(s)

NIIIE ET AL.

Examiner

Lewis A Michael

Art Unit

2655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☒ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1,2,6,8 and 9 are rejected under 35 U.S.C. 102(e) as being anticipated by Haszto et al. (U.S. Patent 6192338).

Regarding claims 1 & 8, Haszto et al. disclose a service providing system that addresses the following:

- a. At least one service providing apparatus for processing information to provide a service e.g. Airline or Financial Webserver (Col 3, Line 20, Col 4, Line5).

- b. At least one service requesting apparatus for processing information to request the service from the service providing apparatus (Col 3, Line 30).
- c. At least one service mediating apparatus connected to the service providing apparatus and the service requesting apparatus via a network. Haszto et al. describe a first server that works with the client to ascertain information that mediates or directs the user to the correct service (Col 3, Line 7- 20, See 10, Fig. 1).
- d. The service requesting apparatus receives a voice input indicating an instruction as to the service requested by a user of the service requesting apparatus (Col 3, Line 30).
- e. The service mediating apparatus specifies a service providing apparatus that is to perform a process corresponding to the instruction (Col 3, Line 20, 10, See Fig. 1).
- f. Based on the specified service providing apparatus, the service mediating apparatus specifies an information processing apparatus that is to recognize voice input from the user (Col 3, Line 20).
- g. The specified service providing apparatus processes information to provide a service based on speech recognition performed by the specified information processing apparatus. Haszto et al. describe a network knowledge base server that

utilizes an automatic speech recognizer (ASR) that structures the speech in formatted text for processing by a web server (Col 4, Line 40, Col 5, Line 1 –15).

Regarding claims 2 & 9, Haszto et al. disclose a first server [claimed mediating device] that communicates with a client and provides a service in response to a verbal request. The network knowledge server provides context to guide recognition server parameters that are basically tagged text. The web server uses the tagged text to search for the information and return it to the user. The web search engine hosted by the web server [claimed information processing apparatus] is used to search the various databases within an intranet or on the Internet for the service providing information that is returned to the user. A text version of the voice is recognized and processed by the service providing apparatus (Col 3, Line 50 – 58, 48 & 50 See Fig. 4).

Regarding claims 6, Haszto et al. disclose that the information processing apparatus that is to recognize voice is connected to the network (See Fig. 4).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

5. Claims 3,10,13 & 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haszto et al. (U.S. Patent 6192338) in view of Lange (U.S. Patent 6163794).

Regarding claims 3, 10 & 13, Haszto et al. disclose a first server(10) [claimed mediating device] that communicates with a client (12) providing a service in response to a verbal request. The network knowledge server provides context to guide recognition server parameters that are basically tagged text. The web server uses the tagged text to search for the information and return it to the user. The web search engine hosted by the web server is the information processing apparatus that is used to search the various databases within an intranet or on the Internet (by the use of a network) for the service providing information that is returned to

the user. A text version of the voice is recognized and processed by the service providing apparatus. Hazto et al. do not disclose a mediating device that includes a storage device. However, Lange et al. teach an Agent Server [mediating device] that have one or more processors and data storage, etc (Col 8, Line 19). Storing the information is beneficial to the service providing apparatus since the stored information can be used to enhance the system's performance.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hazto et al. with the addition of data storage as taught by Lange et al. since it would have improved the performance of the service providing apparatus.

Regarding claim 14, Haszto et al. disclose a first server (10) [claimed mediating device] that communicates with a client providing a service in response to a verbal request. The network knowledge server provides context to guide recognition server parameters that are basically tagged text. The web server uses the tagged text to search for the information and return it to the user. The web search engine hosted by the web server is the information processing apparatus that is used to search the various databases within an intranet or on the Internet (by the use of a network) for the service providing information that is returned to the user.

A text version of the voice is recognized and processed by the service providing apparatus. Hazto et al. also describes the means to output results of the information processing system by the use of web pages or speech data (Col 6, Lines 57, Line 65). Hazto et al. do not disclose a mediating device that includes a storage device. However, Lange et al. teach an Agent Server [mediating device] that have one or more processors and data storage, etc (Col 8, Line 19). Storing the information is beneficial to the service providing since stored information can be used to enhance the system's performance.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hazto et al. with the addition of data storage as taught by Lange et al. since it would have improved the performance of the service providing apparatus.

6. Claims 4,5,7,11,12, ,15,16,17,18, &19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haszto et al. (U.S. Patent 6192338) in view of Lange (U.S. Patent 6163794) and further in view of Bryan et al. (U.S. Patent Application 09800371).

Regarding claim 4 & 11, Haszto et al. disclose a first server [claimed mediating device] that communicates with a client providing a service in response to a verbal request. The network knowledge server provides

context to guide recognition server parameters that are basically tagged text. The web server uses the tagged text to search for the information and return it to the user. The web search engine hosted by the web server is the information processing apparatus that is used to search the various databases within an intranet or on the Internet for the service providing information that is returned to the user. A text version of the voice is recognized and processed by the service providing apparatus. Hazto et al. do not teach the use of voice extensible markup language or VXML for storing data. However, Bryan et al. teach the use of voice extensible markup language for storing and processing information (Page 5, 0063). Voice XML gives users tagged text that is particular to voice/speech that makes it easier to categorize and search data.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to update the modified Hazto et al. with the use of voice extensible markup language as taught by Bryan et al. since it would have improved the ability of the system to categorize, store and search data.

Regarding claim 5 & 12, the modified Hazto et al. would show that the information described by the voice extensible markup language (VoiceXML) includes information specifying an execution condition for

recognizing a voice. (See Bryan et al. (Page 5, 0063) which describes that audio macros entered by the user may be converted into VoiceXML grammar. The VoiceXML grammar may then be used by data gathering engine to extract information from a data source.)

Regarding claim 16, the modified Hazto et al. disclose a first server [mediating device] that communicates with a client providing a service in response to a verbal request. The network knowledge server provides context to guide recognition server parameters that are basically tagged text. The web server uses the tagged text to search for the information and return it to the user. The web search engine hosted by the web server is the information processing apparatus that is used to search the various databases within an intranet or on the Internet for the service providing information that is returned to the user. A text version of the voice is recognized and processed by the service providing apparatus. Hazto et al. also describes the means to output results of the information processing system by the use of web pages or speech data (Col 6, Lines 57, Line 65). The modified Haszto et al. do not teach the use of VoiceXML as a means for storing or presenting data. However, Bryan et al. teach the use of voice extensible markup language for storing and processing information (Page 5, 0063). Voice XML gives users tagged

text that is particular to voice/speech that makes it easier to categorize and search data.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to update the modified Hazto et al. with the use of voice extensible markup language as taught by Bryan et al. since it would have improved the ability of the system to categorize, store and search data.

Regarding claim 17, the modified Hazto et al., disclose that the information processing apparatus that is to recognize voice is connected via a network (See Fig. 4).

Regarding claims 15 & 18, the modified Hazto et al., disclose that use of additional storage device for indicating a corresponding relationship between the service and speech recognition program that recognizes the user's voice using the speech recognition program held by the storage device. Hazto et al. describes the use of a computer system with programs, including a speech recognition system, stored in non-volatile memory (Col 3, Line16).

Regarding claim 19, the modified Hazto et al. disclose a receiving device that is connectable to a service requesting apparatus through a network to receive a the user voice information from the service requesting apparatus through the network. Hazto et al. describes a voice portal through an internet web browser where the user through voice utterances receive information from a service providing device. The arrangement is also described for a telephone or PSTN system (See Figure 4 and Figure 6).

Regarding claim 7, the modified Haszto et al. disclose a first server [claimed mediating device] that communicates with a client providing a service in response to a verbal request. The network knowledge server provides context to guide recognition server parameters that are basically tagged text. The web server uses the tagged text to search for the information and return it to the user. The web search engine hosted by the web server is the information processing apparatus that is used to search the various databases within an intranet or on the Internet for the service providing information that is returned to the user. A text version of the voice is recognized and processed by the service providing apparatus. In addition, the use of voice extensible markup language for storing and processing information is also taught. However, Hazto et al. do not teach the use of mobile phones or wireless for accessing the service providing apparatus. However, Bryan et al. teach that the service requesting

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apparatus can be accessed by mobile phones and the wireless internet (See Bryan 102, Fig. 1). It is necessary for users within vehicles to have service information in real-time using mobile phones or wireless internet.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the modified Hazto et al. with the use of mobile phones or wireless internet as taught by Bryan et al. since it would have improved the versatility of the application so that remote users could have access through mobile phones or the wireless internet.

Conclusion

6. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872 9314,

(for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington.

VA., Sixth Floor (Receptionist).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Lewis, telephone number (703)305-8730.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Doris To, can be reached at (703) 305-4827. The facsimile phone number for this group is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group 2600 receptionist whose telephone number is (703) 305-4750, the 2600 Customer Service telephone number is (703) 306-0377.

mal

12/19/2003


12/29/03
DORIS H. TO
SUPERVISORY PATENT EXAMINER
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